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10 UNITED STATES DISTRICT COURT  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT TACOMA

13 SCOTT C. SMITH,

14 Plaintiff,

15 v.

16 B. ZAVODNY, *et al.*

17 Defendants.

CASE NO. C10-5188BHS/JRC

ORDER DENYING PLAINTIFF'S  
MOTION FOR A CONTINUANCE

18 This title 42 §1983 Civil Rights matter has been referred to the undersigned Magistrate  
19 Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judge's Rules MJR  
20 1, MJR 3, and MJR 4.

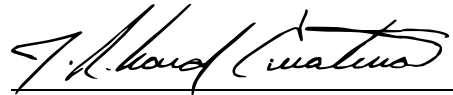
21 Plaintiff asks the court to extend the time for filing a response to a motion for summary  
22 judgment filed by one of the defendants in this action, William F. Paul (ECF. No. 29). The  
23 motion is DENIED.

24 The court has reviewed the motion for summary judgment. Mr. Paul is entitled to  
25 dismissal from this action as a matter of law. Extending the time for a response will be of no  
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1 benefit to plaintiff as Mr. Scott was found guilty of the infraction complained of and lost good  
2 time (ECF. No. 27 attached document).

3 The Clerk of Court is directed to send a copy of this Order to plaintiff and terminate the  
4 deadline for ECF. No. 29 on the court's calendar.

5 DATED this 1<sup>st</sup> day of November, 2010.  
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9 J. Richard Creatura  
10 United States Magistrate Judge  
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